

IN THE SENATE

SENATE BILL NO. 1089

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES AND PASSENGER SAFETY FOR CHILDREN;
AMENDING SECTION 49-672, IDAHO CODE, TO DELETE EXEMPTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 49-672, Idaho Code, be, and the same is hereby amended to read as follows:

49-672. PASSENGER SAFETY FOR CHILDREN. (1) No noncommercial motor vehicle operator shall transport a child who is six (6) years of age or younger in a motor vehicle manufactured with seat belts after January 1, 1966, unless the child is properly secured in a child safety restraint that meets the requirements of federal motor vehicle safety standard no. 213.

(2) ~~The provisions of this section shall not apply:~~

~~(a) If all of the motor vehicle's seat belts are in use, but in such an event any unrestrained child to which this section applies shall be placed in the rear seat of the motor vehicle, if it is so equipped; or~~

~~(b) When the child is removed from the car safety restraint and held by the attendant for the purpose of nursing the child or attending the child's other immediate physiological needs.~~

(3) The failure to use a child safety restraint shall not be considered under any circumstances as evidence of contributory negligence, nor shall such failure be admissible as evidence in any civil action with regard to negligence.